

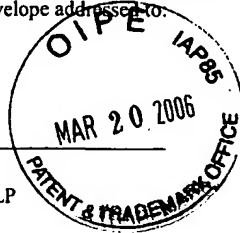
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On March 17, 2006

TOWNSEND and TOWNSEND and CREW LLP

By: Matilde C. Garza



PATENT  
Attorney Docket No.: 16869B-082700US  
Client Reference No.: HAL 279

*FW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kenji Yamagami

Application No.: 10/608,391

Filed: June 26, 2003

For: METHOD AND APPARATUS FOR  
BACKUP AND RECOVERY SYSTEM  
USING STORAGE BASED  
JOURNALING

Examiner: Hetul B. Patel

Art Unit: 2186

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the US patent and US publication references are not enclosed. A copy of the cited non-patent article is enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

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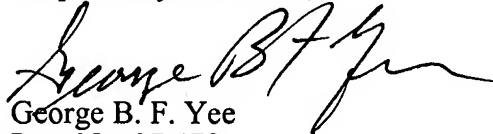
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representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



George B. F. Yee  
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Substitute for form 1449A&amp;B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/608,391
Filing Date	June 26, 2003
First Named Inventor	Yamagami, Kenji
Art Unit	2186
Examiner Name	Hetul B. Patel
Attorney Docket Number	16869B-082700US

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-6,397,351	05-28-2002	Miller, et al.	
	AB	US-6,898,688	05-24-2005	Martin, et al.	
	AC	US-2005/0193031	09-01-2005	Midgley, et al.	
	AD	US-6,732,125	05-04-2004	Autrey, et al.	
	AE	US-2004/139128	07-15-2004	Becker, Gregory	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AF							<input type="checkbox"/>
	AG							<input type="checkbox"/>
	AH							<input type="checkbox"/>
	AI							<input type="checkbox"/>
	AJ							<input type="checkbox"/>

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BA	AberdeenGroup, Continuous Data Protection: Business Continuity for the Era of Networked Storage (July 2003)	<input type="checkbox"/>
	BB		<input type="checkbox"/>
	BC		<input type="checkbox"/>
	BD		<input type="checkbox"/>

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.